

THE HONORABLE BARBARA J. ROTHSTEIN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

IN RE Phenylpropanolamine (PPA) Products
Liability Litigation

This document relates to all actions

No. MDL 1407

**NOTICE OF TAKING
DEPOSITION DUCES TECUM
OF RIC INTERNATIONAL,
INC. PURSUANT TO
FEDERAL RULE OF CIVIL
PROCEDURE 30(B)(6)**

PLEASE TAKE NOTICE that Novartis Consumer Health, Inc. will take the deposition upon oral examination of RIC International, Inc., by the person or persons designated to testify on its behalf, about the matters described in the attached Schedule A, on Thursday, October 28, 2004, at the offices of Kirkpatrick & Lockhart, LLP, 75 State Street, Boston, Massachusetts 02109, (617) 261-3100, beginning at 9:00 a.m. and continuing until completed.

The deposition will be conducted pursuant to the provisions of the Federal Rules of Civil Procedure and Case Management Order No. 1 and will be stenographically recorded by

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OF RIC INTERNATIONAL, INC. - 1
Case No. MDL 1407
019186.0033/1142999.1



LANE POWELL SPEARS LUBERSKY LLP
SUITE 4100
1420 FIFTH AVENUE
SEATTLE, WA 98101
(206) 223-7000

1 the court reporting firm of Leavitt Reporting Service, 1207 Commercial Street, Rear,
2 Weymouth, MA 02189.

3 RESPECTFULLY SUBMITTED this 8 day of October, 2004.
4

5 LANE POWELL SPEARS LUBERSKY LLP
6

7 By D. Joseph Hurson
8 D. Joseph Hurson, WSBA No. 09296
9 Counsel for Novartis Consumer Health, Inc.;
10 Co-Liaison Counsel for MDL Manufacturing
11 Defendants
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CERTIFICATE OF SERVICE

I, Heidi Carchano, hereby certify and declare under penalty of perjury as follows:

On the 8th day of October, 2004, I electronically filed the foregoing document with the Clerk of this Court using the CM/ECF system. In accordance with the Court's ECF registration agreement and the Court's rules, the Clerk will send e-mail notification of such filing to the CM/ECF participants in this matter.

I further certify and declare that Lane Powell Spears Lubersky LLP caused the aforementioned documents to be served upon the following:

Via Hand Delivery

Lance Palmer
LEVINSON FRIEDMAN
720 Third Ave, Suite 1800
Seattle, WA 98104

Via Electronic Mail

Arthur Sherman
SHERMAN SALKOW PETOYAN & WEBER

Richard S. Lewis
COHEN MILSTEIN HAUSFELD & TOLL

H. Bissell Carey III
ROBINSON & COLE

David L. Suggs
LOPEZ HODES RESTAINO MILMAN & SKIKOS

All Defense Counsel

Signed and dated this 8th day of October 2004, in Seattle, Washington.

Heidi Carchano

Heidi Carchano

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1 **SCHEDULE A**

2 **Definitions**

3 The term "documents" is used in its broadest sense, and includes, without limitation,
4 written material of whatever kind or nature, whether typed, printed, handwritten or otherwise
5 produced including, without limitation, letters, memoranda, notes, contracts, bills, invoices,
6 spreadsheets, photographs, calendars, photostats, photocopies, data, audio or video
7 recordings, and electronic data compilations, including computerized files, computer disks,
8 hard drives, database records, "voice mail" or "phone mail" recordings, and "electronic mail"
9 or "e-mail" messages, however stored, as well as drafts, revisions, and redline versions or
10 iterations, whether paper or electronic. Spreadsheets and any other documents that contain
11 formulas and/or calculations are to be produced in readable electronic format and in such a
12 way that the formulas and/or calculations may be reviewed.
13

14 The word "communication" when used herein shall mean any and all communications
15 of any kind, including, without limitation, any and all conversations, discussions, inquiries,
16 correspondence, notes (handwritten or otherwise), message slips, logs, e-mail (or other similar
17 electronic transmission or communication), or such other transmittal of information, whether
18 written, oral, or by any other means. The word "communication" also means internal
19 communications.
20

21 The words "concerning," "concerns," "concern," or "concerned" shall mean relating
22 to, referring to, regarding, describing, supporting, tending to contradict, evidencing or
23 constituting.
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25 The term "you," "your," and "yours" shall mean RIC International, Inc., a business
26 entity, and any partner, officer, director, employee, representative, attorney, agent, parent,

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1 accountant, subsidiary, affiliate, other predecessor-in-interest, or other person or entity acting
2 on behalf of "RIC International, Inc."

3 The term "Korean Study" refers to the paper translated as "A case-control study to
4 investigate the association between the use of combination drugs containing
5 Phenylpropanolamine (PPA) and the risk of hemorrhagic stroke."
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7 Further, the "documents" requested herein extend to and include any and all such
8 materials within the possession, custody, or control of the experts, agents, attorneys, or
9 representatives, regardless of where located.
10

11 **Matters for Testimony**

12 RIC International, Inc. shall designate one or more officers, directors, or managing
13 agents, or other persons who consent to testify on its behalf, to testify on the following topics:

- 14 1. RIC International, Inc.'s translation of the Korean Study;
15 2. Communications concerning the Korean Study, including but not limited to
16 any instructions concerning translating the Korean Study into English and any
17 comments on drafts of the Korean Study translation;
18 3. The relationship between RIC International, Inc. and the party for whom you
19 provided the translation of the Korean Study; and
20 4. The Certification of Translation Accuracy dated September 1, 2004, executed
21 by RIC International, Inc. for the Korean Study.

22 **Documents or Objects**

23 You are to produce the materials in your possession, custody, or control listed below:

- 24 1. All complete or partial drafts of the Korean Study;
25 2. All communications, documents, notes or other internal communications
26 regarding the Korean study or its translation into English reflecting
communications concerning the Korean Study, including but not limited
to any instructions, dictionaries, medical texts, articles or other materials

1 RIC International, Inc. consulted to translate the Korean Study into
2 English and any comments on drafts of the Korean Study translation;

3 3. All contracts, work orders, invoices, bills, and any other documentation
4 of the relationship between you and the party for whom you provided the
5 Korean Study translation;

6 4. All time sheets or other documents reflecting the time that was spent
7 translating the Korean Study;

8 5. All documents concerning any payment you received or are expected to
9 receive for translating the Korean Study;

10 6. Current curriculum vitae of all translators, editors, translation managers,
11 and all other persons that participated in translating the Korean Study;
12 and

13 7. To the extent not already requested, all documents concerning RIC
14 International, Inc.'s translation of the Korean study.
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